

REMARKS

Claims 50-64 and 66-68 were examined by the Office, and in the Office Action of April 22, 2010 all examined claims are rejected. With this response, claims 50 and 60-61 are amended. All amendments are fully supported by the specification as originally filed. Applicant respectfully requests reconsideration and withdrawal of the rejections in view of the following discussion.

**Claim Rejections Under § 103**

In section 3, on page 2 of the Office Action, claims 50-64 and 66-68 are rejected under 35 U.S.C. § 103(a) as unpatentable over Seo et al. (U.S. Appl. Publ. No. 2003/0232622) in view of Pecen et al. (U.S. Patent No. 7,181,223). Applicant respectfully submit that claim 50 is not disclosed or suggested by the cited references, because the cited references fail to disclose or suggest all of the limitations recited in claim 50. The cited references, alone or in combination, at least fail to disclose or suggest receiving at a network element information having both a cell specific parameter and a radio link specific parameter, in respective messages on an interface between the network element and a radio network controller for configuring the radio uplink from a user equipment to the network element, as recited in claim 50. For at least this reason, claim 50 is not disclosed or suggested by the cited references.

The Office asserts on pages 2-3 of the Office Action that Figure 4 of Seo shows RNC-A and RNC-B receiving information included cells. However, Figure 4 shows a detailed operation performed by a UE in a handover state. See Seo paragraph [0030]. The UE continuously monitors signals received from several cells and includes the cells with high signal strength in an active set. See Seo paragraph [0030]. Furthermore, the “power control” discussed in Seo is not the equivalent of configuring the radio uplink from a user equipment to the network element, as recited in claim 50. For example, in Seo discusses that DPCCH and HS-DPCCH have a constant power ratio, and if transmission power of the UL\_DPCCH is increased or decreased due to power control, transmission power of the HS-DPCCH is also increased or decreased. See Deo paragraph [0031]. Therefore, it is irrelevant whether Seo discloses that the RNC may send a power offset for HS-DPCCH to the Node B, because power offset is used to perform power

control of the HS-DPCCH channel, and is not used for configuring uplink communication, as recited in claim 50. Furthermore, the radio resource control message discussed in paragraph [0040] of Seo is sent to the UE located in the handover region of the Node B, and therefore cannot correspond to the respective messages recited in claim 50.

In addition, the Office acknowledges on page 3 of the Office Action that Seo fails to disclose that at least one of the respective messages enables the configuring of the radio uplink, and relies upon Pecen for this teaching. However, applicant respectfully submits that Pecen also at least fails to disclose or suggest this limitation of claim 50. Pecen states that when receiving blocks including a downlink temporary block flow the mobile station would examine the USF field when the mobile station has information to transmit in an uplink temporary block flow. See Pecen column 8, lines 48-52. The base station will acknowledge receipt of uplink data blocks by sending a direct acknowledgement in respective downlink radio link control blocks. See Pecen column 8, lines 56-59. However, Pecen does not disclose or suggest that at least one of the messages enables the configuring of the radio uplink, as recited in claim 50, and instead only discusses acknowledgement by the base station of data sent by the mobile station. Therefore, for at least the reasons discussed above, claim 50 is not disclosed or suggested by the cited references.

Independent claims 53, 60-62, 64 and 66-67 contain limitations similar to those recited in claim 50, and therefore are not disclosed or suggested by the cited references for at least the reasons discussed above with respect to claim 50.

The dependent claims rejected above all ultimately depend from an independent claim, and therefore are not disclosed or suggested by the cited references at least in view of their dependencies.

Conclusion

For at least the foregoing reasons, the present application is believed to be in condition for allowance, and such action is earnestly solicited. The undersigned hereby authorizes the Commissioner to charge Deposit Account No. 23-0442 for any fee deficiency required to submit this response.

Respectfully submitted,

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Keith R. Obert  
Attorney for the Applicant  
Registration No. 58,051

WARE, FRESSOLA, VAN DER SLUYS  
& ADOLPHSON LLP  
Bradford Green, Building Five  
755 Main Street, P.O. Box 224  
Monroe, Connecticut 06468  
Telephone: (203) 261-1234  
Facsimile: (203) 261-5676